

184759  
ORIGINAL

ELLIOTT & ELLIOTT, P.A.  
ATTORNEYS AT LAW  
721 OLIVE STREET  
COLUMBIA, SOUTH CAROLINA 29205  
[ccook@elliottlaw.us](mailto:ccook@elliottlaw.us)

CHARLES H. COOK  
OF COUNSEL

TELEPHONE (803) 771-0555  
FACSIMILE (803) 771-8010

March 2, 2007

COPY

Posted: lod  
Dept: S.A.  
Date: 3/5/07  
Time: 10:40

VIA HAND DELIVERY

Charles L. A. Terreni, Esquire  
Chief Clerk of the Commission  
SC Public Service Commission  
101 Executive Center Drive  
Columbia, S.C. 29210

RECEIVED  
2007 MAR -2 PM 3:38  
SC PUBLIC SERVICE  
COMMISSION

RE: Application of Ashley Oaks Water System, Inc. for Approval of Transfer  
of Its Water System to City of Columbia  
Docket No. 2007-41-W

Dear Mr. Terreni:

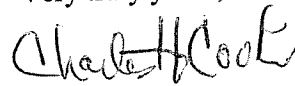
Enclosed please find for filing an original and ten (10) copies of the Petition to Intervene by Stewart G. Young and Roberta C. Young, joint petitioners as husband and wife, in the above-captioned matter. Also enclosed is an extra copy which I would ask to be date stamped and returned to me via my courier.

The Applicant shows no counsel of record, therefore out of abundance of caution Michael D. Shelley, Sr., President of Ashley Oaks Water System, Inc. (also believed to be its registered agent) is being served.

Applicant's filing addressed to you refers to an entity shown as Ashley Oaks Water Company, Inc. This entity appears in documents filed in this docket to have contracted to sell the water system to the City of Columbia. We do not know its status or who to serve other than Mr. Shelley since this company is not incorporated according to the website of the Secretary of State for South Carolina, and is not the named Applicant.

If you have questions, please feel free to contact me.

Very truly yours,

  
Charles H. Cook

CHC/mlw  
Enclosures

c: All parties of record (w/enc.)

RETURN DATE: 3/12/07 ok  
SERVICE: ok

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 2007-41-W

---

IN THE MATTER OF:

Application of Ashley Oaks Water  
System, Inc. for Approval of Transfer of  
Its Water System to City of Columbia

)  
)  
)  
)  
)

**PETITION TO INTERVENE**

Pursuant to Rule 103-836 of the Regulations of the Public Service Commission of South Carolina ("Commission"), Stewart G. Young and Roberta C. Young ("Intervenors") hereby petition the Commission to allow them to intervene as joint parties of record in the above-captioned proceeding. In support hereof, the Intervenors would show as follows:

1. On January 29, 2007, Ashley Oaks Water System, Inc. (Applicant) filed an Application with the Commission seeking *inter alia* approval of the transfer to the City of Columbia, ("Columbia") of its water utility system serving Ashley Oaks subdivision, Phase I, II, III and Ashley Woods.
2. The Commission has assigned Docket No. 2007-41-W to this matter.
3. The Intervenors are husband and wife, jointly owning two lots, respectively Lot 33 and Lot 34, both located in Ashley Oaks subdivision, Phase II, at property known as 1724 Fulmer Road, Blythewood, SC 29016.
4. The Intervenors are presently paying Applicant for water service and would be affected by the transfer of the water system to Columbia.
5. The Intervenors are further affected by virtue of the fact that Applicant is drawing water from a well owned by them and located upon one of their heretofore referenced lots.

6. The Commission's Order No. 2001-075 in Docket No. 1998-338-W, dated January 25, 2001, aside from denying Applicant's request for an increase in rates and charges for water services and other ordered matters, required Applicant to file of record the appropriate legal documents "demonstrating ownership or an easement to the private well located on the property of Ms. Roberta Young". On information and belief Applicant has never complied with the Commission's order.
7. Petitioner's rights and interests may be substantially affected by decisions made in this proceeding since the contract between Applicant and Columbia proposes to convey all of its interest in the "water system" which would interfere with the ownership of Petitioner's well and provide purported easements on Intervenor's land to Columbia not necessary or warranted for transfer of the water system.
8. Accordingly, Petitioners respectfully request that they be granted leave to intervene and participate fully as parties of record. Such participation in this docket will not unduly delay these proceedings or prejudice the rights of any other parties.
9. Petitioners address is:

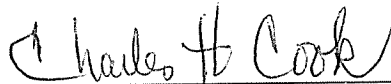
Dr. Stewart G. Young and  
Roberta (Bobbi) C. Young  
1724 Fulmer Road  
Blythewood, SC 29016

10. In accordance with Rule R. 103-804 (s) of the Commission's Rules of Practice and Procedure, Petitioners are represented by counsel in this proceeding:

Charles H. Cook, Esquire  
Scott Elliott, Esquire  
Elliott & Elliott, P.A.  
721 Olive Street  
Columbia, South Carolina 29205  
Telephone: 803-771-0555  
Facsimile: 803-771-8010

WHEREFORE, Petitioners pray for the following relief:

- a. That this Petition to Intervene be accepted and that Stewart G. Young and Roberta C. Young be made parties of record;
- b. That either or both of the intervening petitioners be allowed to participate fully in this proceeding and take such positions as they deem advisable; and
- c. For such other and further relief as is just and proper.



---

Charles H. Cook, Esquire  
Scott Elliott, Esquire  
ELLIOTT & ELLIOTT, P.A.  
721 Olive Street  
Columbia, S.C. 29205  
Telephone: 803-771-0555  
Facsimile: 803-771-8010

Attorney for Petitioners

Columbia, South Carolina  
March 3, 2005

ORIGINAL

## CERTIFICATE OF SERVICE

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that (s)he has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: Application of Ashley Oaks Water System, Inc. for  
Approval of Transfer of Its Water System to City of  
Columbia

DOCKET NO.: 2007-41-W

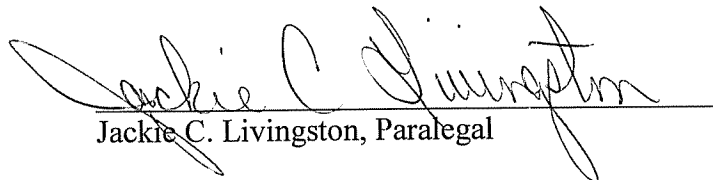
PARTIES SERVED: Wendy B. Cartledge, Esquire  
Office of Regulatory Staff  
P.O. Box 11263  
Columbia, SC 29211

Michael D. Shelley, President  
Ashley Oaks Water System, Inc.  
209 Blythewood Road  
Blythewood, SC 29016

RECEIVED  
2007 MAR -2 PM 3:38  
SC PUBLIC UTILITY  
COMMISSION

PLEADING: PETITION TO INTERVENE BY

March 2, 2007

  
Jackie C. Livingston, Paralegal